

EEAS Personal Data Processing Record

Ref. Article 31 of Regulation (EU) 2018/1725 - Legal obligation for maintaining records

1	Title of the processing activity	Personal data processing in the context of Electoral Office activities in the EEAS
2	Update of the record (last modification date)	15/05/2024
3	Register reference number	2501
4	Identity and contact details of the Data Controller Joint Controller (if applicable) Data Processor (if applicable)	EEAS Data Protection Officer: Emese Savoia-Keleti DATA-PROTECTION@eeas.europa.eu
5	Identity and contact details of the Data Protection Officer	EEAS Data Protection Officer (DPO): Emese Savoia-Keleti. SG.AFFGEN.DPO Functional Mailbox of the DPO: DATA-PROTECTION@eeas.europa.eu
6	Purpose of the processing activity	<p>The purpose of the present processing activity is to ensure The purpose of the present data processing activity is to enable the Electoral Office of the EEAS to process personal data to implement the mandate of the Electoral Office - that is to arrange the elections of the EEAS Staff Committee.</p> <p>Description In the framework of its mandate, the Electoral Office is responsible for:</p> <ul style="list-style-type: none"> Organisation of Staff Committee elections Administration of relevant documents and procedures related to Staff Committee elections Liaising with RM.SCS.5 division (Information Technology) Being a contact point for the staff members of EEAS, trade unions and Staff Committee regarding the Staff Committee elections. <p>Electronic voting is used for the elections to the EEAS Staff Committee. The elections of the EEAS Staff Committee are implemented via e-Poll, which is an IT tool developed by the IT division of the EEAS Digital Solutions (RM.SCS.5 division).</p> <p>In accordance with Article 5 and Article 15 of the procedure for elections of the EEAS Staff Committee (EEAS Decision ADMIN (2018) 17 of 9 of August 2018 regarding the adoption of the procedure for Elections of the EEAS Staff Committee), the dates of the elections are set by the Electoral Office responsible for organising them. An electoral notice is published, explaining the main practical arrangements. The electoral roll is compiled from staff management systems by applying the eligibility criteria for electors: place of employment, status, type and duration of contract (Article 3 of the procedure for the elections of the EEAS Staff Committee – Ares(2018)4181617). Only 3 data categories appear on the published electoral roll (surname and first name, and professional email address). Candidates must be on the electoral roll. Information on their age and length of service is also required in order to decide between candidates in the event of a tie.</p> <p>There is no number, name or other reference that can be used to link a particular elector to his or her vote. Because of this principle of anonymity, once voters have confirmed their vote, they cannot see it again (unless they made a printout before confirming it) or alter it later.</p> <p>Voting is not compulsory, but it is the best way of ensuring democratic representation. A quorum must be reached, consisting of two thirds of the number of electors, failing which the voting is declared void and the Electoral Office call a second ballot. The processing is not intended to be used for any automated decision making, including profiling.</p>

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7	Legal basis and lawfulness	<p>Lawfulness: The above data processing operation is carried out in accordance with Art. 5(b) of Regulation (EU) 2018/1725: personal data may be processed only if processing is necessary for compliance with a legal obligation to which the Controller is subject. Votes of the electors for a union are collected based on Article 10 (2) d of Regulation (EU) 2018/1725</p> <p>Legal references:</p> <p>Decision ADMIN(2018)17 of 09/08/2018 regarding the adoption of the new procedure for elections of the EEAS Staff Committee Ares(2018)4181617</p> <p>Appointment of the secretariat to the Electoral Office - EEAS Staff Committee elections 202: Ref: Ares(2022)8288169-30/11/2022 and Ares(2023)143632 -10/01/2023</p> <p>Appointment of the Electoral Office - EEAS Staff Committee elections 2022 Ref: Ares(2022)5247629– 17/072022 and Ares (2022)6369584 -15/09/2022</p> <p>Article 9 of the Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants (CEOS) of the European Union and Article 1 of Annex II to the SR;</p> <p>All relevant implementing provisions for giving effect to the SR and to the CEOS adopted by the EEAS;</p> <p>Further legal reference: Council Decision of 26 July 2010 establishing the organisation and functioning of the EEAS (2010/427/EU) – OJ L 201, 3/8/2010, p. 30.</p>
8	Categories of individuals whose data is processed - Data subjects	<p>Data, including personal data, are processed from the following individuals or group of people: all EEAS staff being active within the various EEAS Departments/Directorates/Divisions/Delegations:</p> <p>including EEAS staff (EEAS officials and other servants, including personnel from the diplomatic services of the Member States appointed as temporary agents as defined in Article 6 of Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the EEAS);</p> <p>staff in Union Delegations, regardless of their administrative status or origin;</p> <p>other staff resident in EEAS Headquarters (Contract Agents, Local Agents and Temporary Agents).</p>

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9	Categories of data - Data processed	<p>The data, including personal data, which may be processed for this purpose are the following:</p> <p>I. In the framework of the Electoral Office's activity of organising Staff Committee elections within the EEAS:</p> <ul style="list-style-type: none"> Surname(s) and first name(s) Job function Statutory link Category, Grade, Step Seniority in the institution (i.e. date of entry into service), Seniority in the function group and Seniority in the grade Gender Date of birth Nationality HQ/DEL entity Professional phone number with extension Professional e-mail address. <p>A limited list of the aforementioned data is communicated to the Electoral Office through the Directorate General for Resource Management (EEAS.RM) extracted from databases/ for the reason of eligibility check of candidates. Only 3 data categories appear on the electoral roll (first name, surname and professional email address).</p> <p>Two entirely separate sets of data are processed, relating to:</p> <ol style="list-style-type: none"> 1. the electors : the electoral roll is published so that each person concerned can check that his or her name is on the electoral roll and, if necessary, ask for changes to be made; the surname and first name and administrative address are all published in the electoral roll; 2. the votes : a list of votes is compiled, recording in codified form each of the votes cast (number of the list and number of the candidate on the list) <p>II. Data communicated to the Electoral Office by staff members on a voluntary basis:</p> <p>Any data provided by staff members on a voluntary basis to the Electoral Office.</p>
10	Recipients of data – Access to data	<p>The recipients of data are:</p> <ul style="list-style-type: none"> Assigned members of the Electoral Office; President and vice president of the Electoral Office; Assigned and relevant members of the EEAS staff with regard to a certain action for the purpose of the activity of the Electoral Office; Assigned and relevant members of Directorate General for Budget and Administration (DG BA) and competent services in other EU institutions; Coordination Division (EEAS RM.01 with purpose limitation); Digital Solutions Division for IT related matters, EEAS. BA.SCS.5 (access would be limited to technical IT issues to be solved).
11	Transfer to Third Countries or International Organizations (IOs) and suitable safeguards (if applicable)	<p>Personal data is not intended to be transferred to a third country or an international organisation. The given information will not be communicated to third parties, except where necessary for the purposes outlined above.</p> <p>In case of international transfers appropriate safeguards are ensured in accordance with Chapter V of Regulation (EU) 2018/1725. The given information will not be communicated to third parties, except where necessary for the purposes outlined above.</p>
12	Time limit for keeping the data - Retention period	<p>Personal data is kept for a maximum period of 5 years or until all appeal procedures are exhausted.</p>

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13	Data Storage	<p>Storage period Personal data is kept for a maximum period of 5 years or until all appeal procedures are exhausted.</p> <p>Personal data may be kept for information and historical, statistical or scientific purposes for a longer period of time including the publication of the electoral poll on the EEAS Intranet with appropriate safeguards in place. Archiving shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of individuals. Reports and other material containing personal data are archived according to e-Domec policy.</p> <p>In case of an incident, event or enquiry by authorities, data subjects or other concerned individuals' personal data will be preserved as long as the legal claims arising from the investigations expire or any follow-up action is due. This includes pending cases, appeals and court judgments to allow for the exhaustion of all appeal and other channels of legal remedies. In any case, personal data will not be kept longer than 5 years after the judgment on the pending case is final.</p> <p>When appropriate, personal data contained in supporting documents should be deleted where possible, if that data is not necessary for audit, inspection or other control purposes</p>
14	General description of security measures	<p>Specific measures: e-Poll is operated in a secured environment, stored in the EEAS data centre under supervision of EEAS RM.SCS.5 Digital Solutions Division. The certified copy of the electoral roll and the list of votes cast will be kept in a secured manner by the EEAS until the end of the time-limit for challenging the election result or until any challenge has been dealt with, after which they will be destroyed. When appropriate, personal data contained in supporting documents should be deleted where possible, if these data are not necessary for further purposes and mandate of the Electoral Office.</p>
15	Rights of individuals	<p>The Privacy Statement is attached to the call for voting and published on the EEAS Intranet and the main page of the e-Poll application.</p> <p>Data subjects have the right of access to their personal data and the right to correct any inaccurate or incomplete personal data. The right of rectification can only apply to factual data processed. Under certain conditions, data subjects have the right to ask the deletion of their personal data or restrict their use as well as to object at any time to the processing of their personal data on grounds relating to their particular situation.</p> <p>The EEAS will consider the request, take a decision and communicate it to the data subject without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary. Data subjects are informed in the Privacy Statement that they can find more information in Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725.</p> <p>In specific cases, restrictions under Article 25 of the Regulation may apply. If data subjects have questions concerning the processing of their personal data, they may address them to the Data Controller via the functional mailbox: BUREAU-ELECTORAL@eeas.europa.eu</p>
16	Information to data subjects	<p>Individuals are informed about the processing operation through a privacy statement sent to all staff and published on the EEAS Intranet. Individuals are informed during the collection of data.</p>